

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
DIVISION

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APR 23 2010

U.S. DISTRICT COURT
MID. DIST. TENN.

Daniel S. Goolsby

(Name of Plaintiff(s))

v.

No. _____

(To be Assigned by Clerk)

High Caliber Services

(Name(s) of Defendant(s))

COMPLAINT UNDER TITLE VII OF THE CIVIL RIGHTS ACT OF 1964

1. This action is brought pursuant to Title VII of the Civil Rights Act of 1964, and the Civil Rights Act of 1991, for employment discrimination. Jurisdiction is specifically conferred upon the Court by 42 U.S.C. § 2000e-5, or, if the plaintiff is a federal employee, by 42 U.S.C. § 2000e-16. Relief is sought under 42 U.S.C. § 2000e-5(g) and/or 42 U.S.C. § 1981a(b).

2. Plaintiff, Daniel Scott Goolsby, is a citizen of the United States and resides at 309 Indiana Morn Rd Apt A,
(street address)
Memphister, Coffee, TN, 37355
(city) (county) (state) (zip code)
931-239-0888
(area code & telephone number)

3. Defendant, High Caliber Services, lives at,
or its business is located at 445 Universal DR,
(street address)
Cookeville, Putnam, TN, 38506
(city) (county) (state) (zip code)

If there is more than one defendant, list the name and address of each additional defendant:

4. Plaintiff sought employment from the defendant or was employed by the defendant at 445 Universal DR,
(street address)
Cookeville, Putnam, TN, 38506
(city) (county) (state) (zip code)

5. Defendant discriminated against plaintiff in the manner indicated in paragraphs 8-9 of this complaint on or about Aug 18, 2008.
(month) (day) (year)

6. Plaintiff filed charges against the defendant with the Tennessee Human Rights Commission or the Equal Employment Opportunity Commission charging the defendant with the acts of discrimination indicated in paragraphs 8-9 of this complaint on or about July 16, 2008.
(month) (day) (year)

7. The Equal Employment Opportunity Commission or the United States Department of Justice issued a Notice of Right to Sue which was received by plaintiff on JAN 28, 2006, a copy of which notice is attached.
(month) (day) (year)

8. Because of plaintiff's (1) _____ race, (2) _____ color, (3) _____ sex, (4) _____ religion, (5) _____ national origin, the defendant:

(a) _____ failed to employ plaintiff.

(b) ☒ terminated plaintiff's employment.

(c) _____ failed to promote plaintiff.

(d) ☒ retaliated against plaintiff for having filed a charge of discrimination.

(e) ☒ other: explain: mental illness

9. The circumstances under which defendant discriminated against plaintiff were as follows: WORKING Plaintiff OVER 24 HRS
in a row. NOT Allowing me to be
able take my mental medications
so that I could function like other
NORMAL people

(You may use additional paper, if necessary.)

10. The acts set forth in paragraph 8 of this complaint:

- (a) _____ are still being committed by defendant.
- (b) _____ are no longer being committed by defendant.
- (c) ☒ _____ may still be being committed by defendant.

11. Plaintiff attaches to this complaint a copy of the charges filed with the Tennessee Human Rights Commission or the Equal Employment Opportunity Commission, which charges are submitted as a brief statement of the facts supporting this complaint.

WHEREFORE, plaintiff prays that the Court grant the following relief:

- (a) _____ direct that defendant employ plaintiff, or
- (b) _____ direct that defendant re-employ plaintiff, or
- (c) _____ direct that defendant promote plaintiff, or
- (d) ☒ order other equitable or injunctive relief: back pay

dr. Bills insurance money paid to employees

- (e) ☒ direct that defendant pay plaintiff back pay in the amount of

_____ and interest on back pay;

- (f) ☒ direct that defendant pay plaintiff compensatory damages: specify the amount and basis for compensatory damages: _____

_____;

- (g) ☒ direct that defendant pay plaintiff punitive damages in the amount of

_____ because defendant engaged in a discriminatory

practice or practices with malice or with reckless indifference to plaintiff's federally protected rights, as described in paragraphs 8-9 above;
and that the Court grant such other relief as may be appropriate, including costs and attorney's fees.

(h) If plaintiff demands a jury trial, pursuant to 42 U.S.C. § 1981a(c), such demand must be made below:

Daniel Scott Dooly 4-23-10

(Signature of Plaintiff(s))

U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

DISMISSAL AND NOTICE OF RIGHTS

To: Daniel S. Goolsby
309 Indian Mountain Rd.
Apt. A
Manchester, TN 37355

From: Nashville Area Office
50 Vantage Way
Suite 202
Nashville, TN 37228

☐

On behalf of person(s) aggrieved whose identity is
CONFIDENTIAL (29 CFR §1601.7(a))

EEOC Charge No.

EEOC Representative

Telephone No.

494-2008-03142

Laura Stubblefield,
Investigator

(615) 736-5808

THE EEOC IS CLOSING ITS FILE ON THIS CHARGE FOR THE FOLLOWING REASON:

☐

The facts alleged in the charge fail to state a claim under any of the statutes enforced by the EEOC.

☐

Your allegations did not involve a disability as defined by the Americans With Disabilities Act.

☐

The Respondent employs less than the required number of employees or is not otherwise covered by the statutes.

☐

Your charge was not timely filed with EEOC; in other words, you waited too long after the date(s) of the alleged discrimination to file your charge

☒

The EEOC issues the following determination: Based upon its investigation, the EEOC is unable to conclude that the information obtained establishes violations of the statutes. This does not certify that the respondent is in compliance with the statutes. No finding is made as to any other issues that might be construed as having been raised by this charge.

☐

The EEOC has adopted the findings of the state or local fair employment practices agency that investigated this charge.

☐

Other (briefly state)

- NOTICE OF SUIT RIGHTS -

(See the additional information attached to this form.)

Title VII, the Americans with Disabilities Act, the Genetic Information Nondiscrimination Act, or the Age Discrimination in Employment Act: This will be the only notice of dismissal and of your right to sue that we will send you. You may file a lawsuit against the respondent(s) under federal law based on this charge in federal or state court. Your lawsuit **must be filed WITHIN 90 DAYS of your receipt of this notice**; or your right to sue based on this charge will be lost. (The time limit for filing suit based on a claim under state law may be different.)

Equal Pay Act (EPA): EPA suits must be filed in federal or state court within 2 years (3 years for willful violations) of the alleged EPA underpayment. This means that **backpay due for any violations that occurred more than 2 years (3 years) before you file suit may not be collectible.**

On behalf of the Commission


Sarah L. Smith,
Area Office Director

JAN 26 2010

Enclosures(s)

(Date Mailed)

cc: High Caliber Services
c/o Patricia Keyes
Human Resource Administrator
445 Universal Drive
Cookeville, TN 38506